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IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In re

TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE
REGIONAL MEDICAL CENTER,

Debtor.

Tax ID #: 94-6002897
Address: 869 N. Cherry St.
Tulare, CA 93274

CASE NO. 17-13797

Chapter 9

DC No.: WW-26

Date: February 15, 2018
Time: 9:30 a.m.
Place: 2500 Tulare Street
Fresno, CA 93721
Courtroom 13
Judge: Honorable René Lastreto II

**MOTION FOR ORDER APPROVING AGREEMENT RELATING TO RELIEF FROM
THE AUTOMATIC STAY (CALDERON)**

TO THE HONORABLE JUDGE OF THE UNITED STATES BANKRUPTCY COURT:

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1 Tulare Local Healthcare District, dba Tulare Regional Medical Center ("TRMC"
2 and/or "Debtor") hereby files this Motion for Order Approving Agreement Relating to
3 Relief From Stay ("Motion") which seeks an order pursuant to 11 U.S.C. §§ 901 and 362
4 as complimented by FRPB 4001(d) approving the Stipulation for Relief From the
5 Automatic Stay ("Stipulation") entered into between TRMC and Jiame Calderon and The
6 Three Children of Jiame Calderon and Ana Calderon (deceased)(collectively
7 "Plaintiffs").

8 This Motion is based on the Motion and Exhibits thereto, the Notice of Hearing on
9 the Motion, the Declaration of Danielle J. Bethel in Support of the Motion, the files,
10 pleadings and orders on file in this Chapter 9 case, and such other and further evidence
11 as made properly before the Court.

12 TRMC respectfully requests that this Court enter an order pursuant to 11 U.S.C.

13 §§ 901 and 362 as complimented by FRPB 4001(d) approving the Stipulation as
14 follows:

15 1. TRMC is the Debtor in the above-captioned Chapter 9 case, which was filed
16 on September 30, 2017.

17 2. TRMC and Plaintiff (collectively, "the Parties") are parties in an action
18 commenced by Plaintiff in the Tulare County Superior Court styled *Jiame Calderon v.*
19 *Adanna Ikedilo, M.D., Tulare Regional Medical Center, et al., U.S. District Court,*
20 *Eastern District of California, Fresno Division, Case No. 1:17-cv-00040* (the "Lawsuit").

21 3. After negotiation, the Parties have stipulated to terms and conditions
22 concerning continuation of the Lawsuit ("Stipulation"). True and correct copies of the
23 Stipulation and proposed form of order are attached hereto as Exhibits A and B,
24 respectively, as required under FRPB 4001(d)((1)(A).

25 4. Essentially, by the Stipulation, the Parties agree that (1) Plaintiffs shall be
26 permitted to prosecute the Lawsuit to settlement or judgment against TRMC and/or the
27 other defendants in the Lawsuit for the purposes of determining the liability and
28 damages, if any, of TRMC and/or the other defendants with respect to the Litigation;

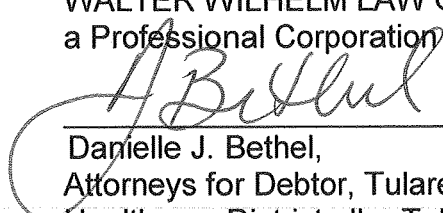
and (2) that Plaintiffs recovery against TRMC in the Lawsuit, if any, shall be limited to proceeds available under any applicable liability coverage, if any, and by Plaintiffs' waiver of the right to collect the first \$100,000 of any settlement or judgment against TRMC.

5. TRMC hereby seeks Court approval of the Stipulation.

WHEREFORE, the Debtor respectfully requests this Court enter an order approving the Stipulation and for such other relief as is just and proper.

Dated: January ¹⁹____, 2018

WALTER WILHELM LAW GROUP,
a Professional Corporation



Danielle J. Bethel,
Attorneys for Debtor, Tulare Local
Healthcare District, dba Tulare Regional
Medical Center